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## 2013 Decisions

## Opinions of the United States Court of Appeals for the Third Circuit

3-27-2013

## In Re: Clinton Barlow

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 13-1320

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IN RE: CLINTON C. BARLOW, III,  
Petitioner

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On a Petition for Writ of Mandamus from the  
United States District Court for the District of New Jersey  
(Related to 13-cv-00173)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
March 7, 2013  
Before: AMBRO, SMITH and CHAGARES, Circuit Judges

(Opinion filed: March 27, 2013 )

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OPINION

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PER CURIAM

On January 10, 2013, Elmalean Bowser, petitioner Clinton C. Barlow's aunt, filed an appeal in the District Court from the Bankruptcy Judge's order dismissing her case. Shortly thereafter, Barlow, apparently acting as Bowser's legal representative, filed a petition for writ of mandamus, asking us to compel the District Court and other federal agencies to accept process of his federal civil tort claim.

Mandamus is a drastic remedy available in only the most extraordinary circumstances. In re Diet Drugs Prods. Liab. Litig., 418 F.3d 372, 378 (3d Cir. 2005). Barlow's federal civil

tort claim was denied by the Administrative Office of the United States Courts on January 24, 2013, and he was advised of his right to file suit in District Court within six months of that date. Nothing in the record indicates that Barlow has exercised that right, let alone been precluded from doing so. Accordingly, we will deny the mandamus petition.